

EXHIBIT AD

Kalamazoo Public Schools Special Education Monitoring Closeout of Findings of Noncompliance

District: Kalamazoo Public Schools (39010)
ISD: Kalamazoo RESA (39)
Date of Report: 02/26/2021
Responsible Party at ISD: Victoria Wentela

Priority:

General Supervision Monitoring (GSM)

Pursuant to the *Individuals with Disabilities Education Act* (IDEA), §§ 300.600 and 300.149 (a)(1)(2), as part of state monitoring and enforcement, the Office of Special Education (OSE) must ensure the requirements of the IDEA are carried out and that each educational program for children with disabilities meets the State's educational standards. It must review policies, procedures, and practices related to the provision of a free appropriate education (FAPE) for students with individualized educational programs (IEPs).

Selection Criteria:

As part of investigating State complaints, a complaint with substantiated noncompliance is required to be corrected on both the student and the systemic levels. The OSE issued this finding of noncompliance as a response to fulfilling its GSM obligation regarding correcting the systemic noncompliance substantiated during the investigation of a State complaint.

Policies, Procedures, and Practices:

Based on evidence from the complaint investigation, it was determined that the policies, procedures, and practices that were used for the provision of a FAPE for students with an IEP were not compliant with the *Individuals with Disabilities Education Act* (IDEA) and/or the *Michigan Administrative Rules for Special Education* (MARSE).

Verification of Correction:

Following the district's request for closeout and verification of correction of findings, the Office of Special Education (OSE) conducted a verification activity. The verification and closeout of findings require a review by the OSE of evidence that the district completed all activities in the approved corrective action plan and is correctly implementing the specific regulatory requirements. Evidence of correction includes a review of current policies, procedures, and practices, student record reviews, and staff interviews.

Findings of Noncompliance and Evidence of Subsequent Correction:

(1) Findings of Noncompliance

Case Number: 19-0213

The district is not in compliance with the IDEA and/or the MARSE regarding child find including:

- The District did not take an affirmative action to fulfil the child find obligation.

Required Evidence of Correction

The district must revise or develop procedures regarding child find, as needed, by 11/15/2020 to document and ensure that:

- The District takes affirmative action in its child find obligation by addressing the following:
 - The District's responsibility to initiate a special education evaluation, for a student who is suspected of being a student with a disability and in need of special education, even when a parent has not made a request.
 - Identification of factors or signs which may prompt District staff to consider a special education referral.
 - Assurance general education staff are informed of their role and responsibility in implementing the District's child find obligation.

The district must provide professional development by 11/15/2020 for all relevant staff regarding the new procedures.

Evidence of change in the district's practices must be provided and verified by the OSE.

Documentation of Correction of Noncompliance

Reviewed the Child Find updated policy located on the districts website:

<https://www.kalamazoopublicschools.com/domain/1109>

Reviewed the Child Study Team Intervention Plan which includes factors or signs which may prompt the district to complete a special education referral-- in progress report

Professional Development--

January 6, 2020 Administrative Leadership--Child find has been an area of work for several complaints. This team began work on this in January. Once administrators were informed then they were responsible to share within their buildings. The CST also has special education representation on the group to monitor and ensure Child Find obligations are met. This occurred after the trainings listed here.

August 20, 2020 New Teacher --includes PPT

August 26, 2020 Special Education PD PPT, list of participants

September 11, 2020 All ancillary, Psychs, & secondary department heads--agenda and list of participants

November 5, 2020 Child Study Process agenda & list of participants

December 1, 2020 Child Study Manual manual, PPT, and meeting notes

Evidence of Change--Due to Covid the district is still in a remote format. That format has not allowed for the CST process to be used as it would in a face to face format however special education administrators have communicated the child find obligation remains. I interviewed 2 staff members and pulled initial IEP Spreadsheet from the PowerSchool system to review for timeliness of initials for the fall of 2020. There are several students on the spreadsheet but due to COVID and the district being in a virtual format, a majority of these are pre-K-1 with Part B transition requirements or little ones eligible SLI. Very few students fell outside of these areas. For those that did, the Child Study Process was in all likelihood not used due to the pandemic.

All students selected were reported as timely.

All CAP activities were completed. Training, revised procedures, student record reviews verified district correction of all areas of noncompliance. This CAP will be closed.

Final Disposition:

The Kalamazoo Public Schools has corrected all areas of noncompliance. Evidence of correction in the targeted areas was verified by the OSE. The district's corrective action plan is closed out.